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(SPACE BELOW FOR FILING STAMP ONLY)

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10 Attorneys for Defendants COUNTY OF FRESNO and  
11 FRESNO COUNTY IN-HOME SUPPORTIVE  
SERVICES PUBLIC AUTHORITY

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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO/OAKLAND DIVISION

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20 MIKESHA MARTINEZ, et al.,

21 Case No. C 09-02306 CW

22 Plaintiffs,

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24 STIPULATION TO CONTINUE HEARING  
25 DATE FOR DEFENDANTS COUNTY OF  
26 FRESNO'S MOTION TO DISMISS AND  
27 MOTION TO SEVER CLAIMS; ORDER  
28 THEREON **AS MODIFIED**

29 v.  
30 ARNOLD SCHWARZENEGGER,  
31 Governor of the State of California; JOHN  
32 A. WAGNER, Director of the California  
33 Department of Social Services; DAVID  
34 MAXWELL-JOLLY, Director of the  
35 California Department of Health Care  
36 Services; JOHN CHIANG, California State  
37 Controller; FRESNO COUNTY; and  
38 FRESNO COUNTY IN-HOME  
39 SUPPORTIVE SERVICES PUBLIC  
40 AUTHORITY,

41 Date: August 27, 2009

42 Time: 2:00 p.m.

43 Dept.: Courtroom 2

44 Defendants.

45  
46 Plaintiffs MIKESHA MARTINEZ, et al. ("Plaintiffs") and Defendants COUNTY OF  
47 FRESNO and FRESNO COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC  
48 AUTHORITY (collectively referred to as "County of Fresno") hereby stipulate to continue the  
49 hearing date on County of Fresno's Motion to Dismiss and Motion to Sever from August 27,  
50 2009 to September 17, 2009 at 9:00 a.m., with the County of Fresno's Reply papers being due on  
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or before September 3, 2009.

Good cause exists for the requested continuance as the parties are in the process of finalizing an agreement which will effectuate, among other items, a dismissal without prejudice of the claims against County of Fresno and a waiver of fees and costs by County of Fresno.

IT IS SO STIPULATED.

Dated: August 12, 2009

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

By: /s/ Mandy Jeffcoach  
Michael G. Woods  
Timothy J. Buchanan  
Attorneys for Defendant  
COUNTY OF FRESNO and FRESNO  
COUNTY IN-HOME SUPPORTIVE  
SERVICES PUBLIC AUTHORITY

Dated: August 12, 2009

## ALTSCHULER BERZON LLP

By: \_\_\_\_\_ /s/ Anne N. Arkush  
Stephen P. Berzon  
Scott A. Kronland  
Stacey M. Leyton  
Peder J. Thoreen  
Anne N. Arkush  
Attorneys for Plaintiffs

## **ORDER**

Upon reviewing the Stipulation entered into by and between Plaintiffs and County of Fresno, and good cause appearing therefore, it is hereby ORDERED that the hearing on County of Fresno's Motion to Dismiss and Motion to Sever Claims be continued from August 27, 2009 to **September 17, 2009 at 2:00 p.m.**

IT IS SO ORDERED.

Charlotte

The Honorable Claudia Wilken  
Judge of the Superior Court

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